

Fill in this information to identify your case:

United States Bankruptcy Court for the:

SOUTHERN DISTRICT OF NEW YORK

Case number (if known)

Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/19

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name The D & M Capital Group, LLC

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 20-4285928

4. Debtor's address Principal place of business

592 Fifth Avenue
Fifth Floor

New York, NY 10036

Number, Street, City, State & ZIP Code

New York

County

Mailing address, if different from principal place of business

P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business

Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify:

Debtor **The D & M Capital Group, LLC**
Name

Case number (if known)

7. Describe debtor's business A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.4483**8. Under which chapter of the Bankruptcy Code is the debtor filing?** Check one:

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. Check all that apply:

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625 (amount subject to adjustment on 4/01/22 and every 3 years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?** ☒ No.
☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor? ☒ No.
☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor	_____	Relationship	_____
District	_____	When	_____
		Case number, if known	_____

Debtor **The D & M Capital Group, LLC**
Name

Case number (if known)

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?☒ No☐ Yes.

Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

☐ It needs to be physically secured or protected from the weather.☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).☐ Other**Where is the property?**

Number, Street, City, State & ZIP Code

Is the property insured?☐ No☐ Yes. Insurance agency

Contact name

Phone

Statistical and administrative information**13. Debtor's estimation of available funds**

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors☒ 1-49☐ 50-99☐ 100-199☐ 200-999☐ 1,000-5,000☐ 5,001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000**15. Estimated Assets**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☒ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion**16. Estimated liabilities**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☒ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion

Debtor **The D & M Capital Group, LLC**
Name

Case number (if known)

Request for Relief, Declaration, and Signatures**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **May 28, 2019**
MM / DD / YYYY**X /s/ Moty Spector**

Signature of authorized representative of debtor

Moty Spector

Printed name

Title **Manager****18. Signature of attorney****X /s/ Robert L. Rattet**

Signature of attorney for debtor

Date **May 28, 2019**

MM / DD / YYYY

Robert L. Rattet 1674118

Printed name

Rattet PLLC

Firm name

202 Mamaroneck Avenue**Suite 300****White Plains, NY 10601**

Number, Street, City, State & ZIP Code

Contact phone **+1-914-381-7400**Email address **rrattet@rattetlaw.com****1674118 NY**

Bar number and State

Fill in this information to identify the case:

Debtor name **The D & M Capital Group, LLC**

United States Bankruptcy Court for the: **SOUTHERN DISTRICT OF NEW YORK**

Case number (if known) _____

☐ Check if this is an amended filing

Official Form 202

Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☐ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☐ *Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- ☐ *Amended Schedule*
- ☒ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☐ Other document that requires a declaration _____

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **May 28, 2019**

X /s/ Moty Spector

Signature of individual signing on behalf of debtor

Moty Spector

Printed name

Manager

Position or relationship to debtor

Fill in this information to identify the case:

Debtor name **The D & M Capital Group, LLC**
United States Bankruptcy Court for the: **SOUTHERN DISTRICT OF NEW YORK**
Case number (if known): _____

☐ Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Ada Yaffee Afula Israel						\$2,360,000.00
American Express P.O. Box 1270 Newark, NJ 07101						\$7,249.61
AmexBrandon P.O. Box 1270 Newark, NJ 07101						\$14,700.00
Cobra 71 West 47th Street Suite 511 New York, NY 10036						\$12,000.00
ERB Gems 20 West 47th Street Suite 900 New York, NY 10036						\$12,100.00
Essex Global 580 Fifth Avenue 21st Floor New York, NY 10036						\$6,500,000.00
Global Gems 214201 Addison Place Court Bonita Springs, FL 34134						\$476,390.00
Isaac Friedman 580 Fifth Avenue, 7th FL New York, NY 10036						\$20,493.75
IT Tec Solutions 39 Allen Street New Hyde Park, NY 11040						\$8,606.85
Mega Rich Hong Kong						\$6,400.00

Debtor **The D & M Capital Group, LLC**
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Mid NY LLC 580 Fifth Avenue, Ste 3003 New York, NY 10036						\$100,000.00
Olga Misimiskaya Flat 2, House #A Bolshoy Predtechenskiy Moscow, Russia						\$4,556,168.00
Oxford Health P.O. Box 1697 Newark, NJ 07101						\$15,533.44
Palawan 31/5 Gloucester Tower The Landmark 11 Pedder Central Hong Kong						\$100,000.00
PDD Seroya 21 Tuval Street Yahalom Bldg Ramat Gan Israel 52521						\$3,735.00
Radwan 2301/2302 Twin Towers Baniyas Street Deira Dubai U.A.E.						\$1,725,000.00
SB Diamond 50 West 47th Street Suite 1611 New York, NY 10036						\$500,000.00
SJ International 71 West 47th Street Suite 50 New York, NY 10036						\$26,001.75
Ultimate Diamond 580 Fifth Avenue Fifth Floor New York, NY 10036						\$763,359.98
Worldstar 44 W. 47th Street Suite GF-1 New York, NY 10036						\$40,000.00

**United States Bankruptcy Court
Southern District of New York**

In re **The D & M Capital Group, LLC**

Debtor(s)

Case No.

Chapter **11**

LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Moty Spector		100%	Membership

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the **Manager** of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date **May 28, 2019**

Signature **/s/ Moty Spector**
Moty Spector

*Penalty for making a false statement of concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.*

**United States Bankruptcy Court
Southern District of New York**

In re **The D & M Capital Group, LLC**

Debtor(s)

Case No.

Chapter **11**

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **The D & M Capital Group, LLC** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

☒ None [*Check if applicable*]

May 28, 2019

Date

/s/ Robert L. Rattet

Robert L. Rattet 1674118

Signature of Attorney or Litigant

Counsel for **The D & M Capital Group, LLC**

Rattet PLLC

202 Mamaroneck Avenue

Suite 300

White Plains, NY 10601

+1-914-381-7400 Fax: +1-914-381-7406

rrattet@rattetlaw.com

**United States Bankruptcy Court
Southern District of New York**

In
re

The D & M Capital Group, LLC

Debtor

Case

No.

Chapter **11**

STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, **Moty Spector**, declare under penalty of perjury that I am the **Manager of The D & M Capital Group, LLC**, and that the following is a true and correct copy of the resolutions adopted by the Board of Directors of said corporation at a special meeting duly called and held on the 28th day of May, 2019.

"Whereas, it is in the best interest of this corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that **Moty Spector, Manager** of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that **Moty Spector, Manager** of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that **Moty Spector, Manager** of this Corporation is authorized and directed to employ **Robert L. Rattet**, attorney and the law firm of **Rattet PLLC** to represent the corporation in such bankruptcy case."

Date May 28, 2019

Signed /s/ Moty Spector

Moty Spector

Resolution of Board of Directors
of
The D & M Capital Group, LLC

Whereas, it is in the best interest of this corporation to file a voluntary petition in the the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that **Moty Spector, Manager** of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that **Moty Spector, Manager** of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that **Moty Spector, Manager** of this Corporation is authorized and directed to employ **Robert L. Rattet**, attorney and the law firm of **Rattet PLLC** to represent the corporation in such bankruptcy case.

Date 5/28/2019

Signed /s/ Moty Spector
Moty Spector

Date _____

Signed _____

**United States Bankruptcy Court
Southern District of New York**

In re **The D & M Capital Group, LLC**

Debtor(s)

Case No.

Chapter

11

VERIFICATION OF CREDITOR MATRIX

I, the Manager of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: **May 28, 2019**

/s/ Moty Spector

Moty Spector/Manager

Signer/Title

ADA YAFFEE
AFULA
ISRAEL

AETNA
P.O. BOX 775392
CHICAGO, IL 60677

AMERICAN EXPRESS
P.O. BOX 1270
NEWARK, NJ 07101

AMEXBRANDON
P.O. BOX 1270
NEWARK, NJ 07101

CNA INSURANCE
P.O. BOX 790094
SAINT LOUIS, MO 63179

COBRA
71 WEST 47TH STREET
SUITE 511
NEW YORK, NY 10036

DGA SECURITY
429 WEST 53RD STREET
NEW YORK, NY 10101

ERB GEMS
20 WEST 47TH STREET SUITE 900
NEW YORK, NY 10036

ESSEX GLOBAL
580 FIFTH AVENUE
21ST FLOOR
NEW YORK, NY 10036

GLOBAL GEMS
214201 ADDISON PLACE COURT
BONITA SPRINGS, FL 34134

ISAAC FRIEDMAN
580 FIFTH AVENUE, 7TH FL
NEW YORK, NY 10036

IT TEC SOLUTIONS
39 ALLEN STREET
NEW HYDE PARK, NY 11040

KATRINA SPECTOR
620 WEST 42ND STREET
APT. 57A
NEW YORK, NY 10036

MALCA AMIT
580 FIFTH AVENUE
NEW YORK, NY 10036

MEGA RICH
HONG KONG

MICHAEL JACOB SPECTOR
CUSTODIAL TRUST
422 EAST 72ND ST., 33DE
NEW YORK, NY 10036

MID NY LLC
580 FIFTH AVENUE, STE 3003
NEW YORK, NY 10036

OLGA MISIMISKAYA
FLAT 2, HOUSE #A
BOLSHOY PREDTECHENSKIYPER
MOSCOW, RUSSIA

OXFORD HEALTH
P.O. BOX 1697
NEWARK, NJ 07101

PALAWAN
31/5 GLOUCESTER TOWER
THE LANDMARK 11 PEDDER CENTRAL
HONG KONG

PDD SEROYA
21 TUVAL STREET YAHALOM BLDG
RAMAT GAN
ISRAEL 52521

PITNEY BOWES
P.O. BOX 371874
PITTSBURGH, PA 15250

RADWAN
2301/2302 TWIN TOWERS
BANIYAS STREET
DEIRA DUBAI U.A.E.

SB DIAMOND
50 WEST 47TH STREET
SUITE 1611
NEW YORK, NY 10036

SJ INTERNATIONAL
71 WEST 47TH STREET
SUITE 50
NEW YORK, NY 10036

THE COMMERICAL LAB
71 WEST 47TH STREET, STE 701
NEW YORK, NY 10036

ULTIMATE DIAMOND
580 FIFTH AVENUE
FIFTH FLOOR
NEW YORK, NY 10036

WORLDSTAR
44 W. 47TH STREET
SUITE GF-1
NEW YORK, NY 10036